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# Report of the Working Group on the issue of discrimination against women in law and in practice

## Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the report of the Working Group on the issue of discrimination against women in law and in practice, pursuant to Council resolutions 15/23, 26/5 and 32/4. In the report, the Working Group proposes an analysis of good practices for the elimination of discrimination against women in law and in practice and for women's empowerment. The question of how to identify good practices in ending discrimination against women is particularly poignant at this historical juncture, where a profound backlash against hard-won progress is occurring in all spheres. The continuing rise of fundamentalisms of all kinds and openly misogynistic, racist, xenophobic and populist voices, including Governments, is of grave concern to the Group. Efforts to re-entrench patriarchal understandings of sex, gender and family into the law point to important questions about sustaining progress and ensuring that good practices continue to be possible in fraught contexts. Ongoing attacks on autonomous women's movements, civil society organizations, independent academia, public interest lawyers and women's human rights defenders by State and non-State actors alike underscore the importance of identifying those good practices that uphold human rights gains.

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# I. Activities

1. The present report covers the activities of the Working Group on the issue of discrimination against women in law and in practice undertaken since the submission of its previous report (A/HRC/32/44) until March 2017.

## A. Sessions

2. The Working Group held two sessions in New York and one in Geneva during the period under review.[1] The roles of Chair-Rapporteur and Vice-Chair of the Working Group were carried out by Alda Facio and Kamala Chandrakirana, respectively. At its sixteenth session (18-22 July 2016), the Group held consultations on good practices with various stakeholders, including States, civil society organizations and relevant United Nations entities. It also met, inter alia, with the office of the Special Rapporteur on Women's Rights of the Inter-American Commission on Human Rights.

3. At its seventeenth session (10-14 October 2016), the Working Group continued its consultations on good practices. It held meetings with members of the Committee on Economic, Social and Cultural Rights, the Special Rapporteur on the right to education, the Special Rapporteur on the human rights of migrants, the Special Rapporteur in the field of cultural rights and the Inter-Parliamentary Union. It also held consultations with various concerned stakeholders on the implementation of the Sustainable Development Goals.

4. At its eighteenth session (23-27 January 2017), the Working Group completed its work on the compendium of good practices. It chaired a round-table discussion on women migrant workers, organized by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), with the participation of members from the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as State and civil society representatives. It also met with concerned United Nations entities, including UN-Women and UNFPA, on the indicators of the Sustainable Development Goals.

## B. Country visits

5. The experts visited Hungary from 17 to 27 May 2016 (A/HRC/35/29/Add.1) and Kuwait from 6 to 15 December 2016 (A/HRC/35/29/Add.2). They wish to thank the Governments of those countries for their cooperation before and during the visits. It also thanks the Governments of Chad and Samoa for having invited the Working Group to conduct official visits in 2017.

## C. Communications and press releases

6. During the period under review, the Working Group addressed communications to Governments, individually or jointly with other mandate holders. The communications concerned a wide range of subjects falling within its mandate, including discriminatory legislation and practices, allegations of abuses of women human rights defenders and violations of their rights, gender-based violence and rights to reproductive and sexual health (see A/HRC/33/32, A/HRC/34/75 and A/HRC/35/44). The Working Group also issued press releases, individually or jointly with other mandate holders and treaty bodies.

[1] During the previous cycle, two sessions had been held in Geneva and one in New York.

### D. Other activities

7. A member of the Working Group attended the sixty-first session of the Commission on the Status of Women, held in New York from 13 to 17 March. She participated, inter alia, in a high-level interactive dialogue on accelerating the implementation of commitments contained in the agreed conclusions for gender equality and the empowerment of women and girls, in an event on strengthened cooperation between the international and regional human rights mechanisms on women's rights and participated in several consultations. She met with the Secretary General together with a group of women's rights experts.

8. A member of the Working Group participated in the 2016 Forum on Business and Human Rights, where she spoke on 14 November in a panel discussion on embedding gender in the business and human rights agenda.

9. In September 2016, the Chair participated in the thirteenth annual forum of the Association for Women's Rights in Development, on the theme "Feminist futures: building collective power for rights and justice", attended by more than 2,000 activists from all regions of the world.

10. In May 2016, a member of the Working Group attended the Symbolic Tribunal on Maternal Mortality and Obstetric Violence, held in Mexico and co-organized by the Office of the United Nations High Commissioner for Human Rights OHCHR.

## II. Thematic analysis: good practices in the elimination of discrimination against women and women's empowerment

### A. Introduction

11. The present report focuses on good practices in the elimination of discrimination against women in law and practice and women's empowerment pursuant to Human Rights Council resolution 15/23, in which the Council established the mandate of the Working Group, including the collection of best practices in the area of the mandate and the development of a compendium of best practices.

12. The Working Group, in establishing its conceptual framework and working methods (A/HRC/20/28), decided to use the term of "good" or "promising" practices rather than "best" practices, taking into account the complex contextual framework of the wide spectrum of good to bad practices.

13. The present report builds on the Working Group's first six years of work, of which investigating good practices was a core undertaking. It is the fruit of a long-term process of inquiry and consultation undertaken with States, United Nations agencies and civil society. It is informed by the Group's 4 thematic reports and 12 country visits, as well as data gathered through research and consultations held specifically for the present report.

14. The Working Group wishes to express gratitude for the information submitted by diverse stakeholders in response to its questionnaire.[2] In order to ensure diverse inputs, the Group also benefitted from the support of a team of researchers based in all regions of the world, coordinated by the Women's Human Rights Education Institute. It also held consultations with States, civil society organizations and United Nations entities when support was available. The enormous amount of data received goes well beyond the bounds of the present report and is available on the Group's website.[3]

[2] See www.ohchr.org/EN/Issues/Women/WGWomen/Pages/CompendiumGoodPractices.aspx.
[3] Ibid.

## B. Conceptual framework

15. The Working Group appreciates that significant work has been done by other human rights mechanisms and United Nations agencies to gather good practices in the context of their work. It notes that there is no harmonized understanding of how to identify and investigate good practices, particularly in the context of the elimination of discrimination against women. Building on existing work in this area, the Group seeks to articulate its experience and expertise to further the conversation on methodological understandings of "good practices" and/or "promising practices" in the context of ending discrimination against women, to identify and share examples of good practices that serve as creative inspiration for the implementation of women's human rights in multiple contexts, and to open an ongoing engagement process of collective knowledge-building in this area.

16. The purpose of the compendium, an exercise that extends beyond merely compiling a series of good laws or legal amendments, is to explore good practices that promote the elimination of discrimination against women, supporting both de jure and de facto realization of rights.

17. The law is an essential mechanism for women's enjoyment of human rights. Law is both informed by and the creator of norms in society. Laws determine the values and operating principles by which actions and behaviours are deemed acceptable, or criminalized and stigmatized, and can have an enabling or chilling effect on women's human rights.

18. The Working Group considers that laws may at times constitute good practices in and of themselves, but that more often they function as a component in the development of good practices. Constitutional amendments, laws or legal reforms, court decisions and the full range of ways in which laws are crafted and codified in diverse societies form an important piece of the "good practices" puzzle, and can have an immediate impact on de facto equality. A law can be "promising" or "good" in its crafting and articulation, and a court decision can be good, but for it to be considered a good practice, a wider context must be considered than can be found simply through analysis of a legal text. The Group is of the view that a good law usually becomes a good practice in conjunction with ancillary factors, such as the process by which it comes into being and is disseminated, operationalized and implemented. This is not to understate the importance of the law itself, but rather to emphasize that considerations of good practices cannot be based wholly on the legal texts themselves, but must be analysed in context, including tangible outcomes in lived reality.

19. Consideration of good practices in a global context requires an expansive approach to looking at the law and its implementation, to allow for inclusion of diverse practices reflective of varied political and legal systems and to support the identification of creative methods of supporting rights-fulfilment. Therefore, the present report includes not only all those constitutional, legislative and other rules and norms that are considered law in different legal systems, but also judicial review, legislative reform, litigation and case law, policy but also institutional reform, human rights monitoring, religious or cultural hermeneutic projects, partnership agreements between State and non-State actors, local, national and regional legal frameworks.

20. Significant progress in legal and policy frameworks for women's rights has been made in the past decades. Nevertheless, while many countries have undertaken to repeal discriminatory laws, such laws persist in many parts of the world. Severely discriminatory laws and practices remain in particular areas of women's human rights that continue to be contested, such as sexual and reproductive rights and equal rights in the family. Discriminatory laws also exist where the law is used punitively against women to maintain patriarchal values or to criminalize women's struggles for their rights. In all contexts, there are ongoing challenges to the inclusion of an intersectoral approach to women's full equality. Even in areas where the legal framework has advanced, or in societies with extensive and robust gender equality laws and policies, the test lies in the ability to implement progressive laws in practice. Innumerable barriers remain on many levels, not least of which is the male-controlled and discriminatory environment within which laws are

operationalized. A good law requires a fully ameliorating environment in which it can be meaningfully implemented. No matter how strongly the law is drafted, it is filtered through the biases and limitations of the individuals and institutions, public and private, responsible for grounding it in reality, compounded by a social environment that disadvantages women through the perpetuation of historical discrimination, the patriarchal construction of gender and the perpetuation of stereotypes and prejudices. These factors must be considered closely when identifying which laws have become good practices.

21. The question of how to identify good practices in ending discrimination against women is particularly poignant at this historical juncture, where a profound backlash against hard-won progress is occurring in all spheres. The continuing rise of fundamentalisms of all kinds and openly misogynistic, racist, xenophobic and populist voices, including Governments, is of grave concern to the Working Group. Efforts to re-entrench patriarchal understandings of sex, gender and family into the law point to important questions about sustaining progress and ensuring that good practices continue to be possible in fraught contexts. Ongoing attacks on autonomous women's movements, civil society organizations, independent academia, public interest lawyers and women's human rights defenders by State and non-State actors alike underscore the importance of not only protecting and supporting the crucial role of women human rights defenders, but also identifying those good practices which uphold human rights gains.

22. Naming a "good practice" is a complex process. The purpose of investigating and sharing good practices is to help build collective knowledge and public recognition of the steps and processes States must undertake to fulfil their obligations under international human rights law. States' duty to respect, protect and fulfil women's human rights are requirements of human rights law. Good practices illustrate the ways and means to implement human rights most effectively in diverse contexts. When good practices are viewed in isolation from the breadth of actions and actors involved in processes of social change, they can lose their power as a source of learning and fail to enhance collective knowledge of what it takes to bring human rights principles into reality.

23. The Working Group stresses that human rights are universal while recognizing that good practices must reflect the multiple contexts of diverse stakeholders. Frameworks of analysis thus require flexibility and creativity to capture the full complexity of any practice, including both its successes and shortcomings. This emphasis on context also requires a robust consideration of current challenges to human rights implementation on a global, regional, national and local scale. This contextualized consideration of challenges and search for good practices in no way derogates from the assertion in the Vienna Declaration that women's rights are human rights and "all human rights are universal, indivisible, interdependent and interrelated".

24. The Working Group found that many examples cited as good practices in law did not show the process by which they were established, or the many factors and diverse actors that enabled the practice to come into being. In the present report, the Group undertakes to focus on the process of developing the ways and means to implement women's right to equality. To understand what is required to support gender equality from a holistic approach, both quantitative and qualitative data are equally necessary, and, given the long-term process of social change, an historical perspective is important.

25. Given these complexities, the Working Group proposes a methodology for identifying good practices by investigating partial and substantial victories in the realization of women's human rights with a view to decoding the full breadth of actors, initiatives and milestones required to fully implement State obligations under international human rights law. Rather than making generalizations about indicators of good practice, the Group's research process focused on investigating and documenting promising and good practices in all regions of the world by applying a living-law approach.

26. The living-law approach looks at laws beyond the text of a legislation or judicial decision, including the dynamic processes by which that law comes into being, is implemented meaningfully and contributes to real and sustainable outcomes for women's de facto enjoyment of human rights. Thus, a living-law approach involves understanding laws in the context of dynamic and sustained processes situated in local social, political,

historical and legal realities and in relation to the acts of a diversity of duty and rights holders alike. As such, the living-law approach is inherently grounded in particular contexts and moments in time. This methodology thus requires examining a multitude of ways and means States have used to achieve successful outcomes in terms of fulfilling their obligations regarding women's human rights, along with a robust consideration of processes and actors in play, including those that overcome and perpetuate barriers to substantive achievement. This exploration process has not focused on identifying or ranking "best practices", but rather has examined the ways and means through which States can promote substantive equality, recognizing that progress is not always linear and that de facto change requires multiple strategies; effective responses to lessons learned from mistakes made; context-specific interventions; and sustained time and resources.

**International human rights framework and good practices**

27. The Convention on the Elimination of All Forms of Discrimination against Women, which has been ratified almost universally and is considered by many jurists to be part of customary international law, determines that States have the obligation to respect, protect and fulfil women's right to non-discrimination and to the enjoyment of equality in all fields. Those rights are also enshrined in other international and regional human rights conventions. The scope of the Convention includes and goes beyond de jure discrimination, requiring nothing less than substantive equality, or women's full de facto enjoyment of their rights. National legal frameworks must be developed, adopted and implemented from a holistic rights-based approach that addresses the fullness of State obligation, including: (a) respecting rights by repealing and eliminating laws or any other State action that directly or indirectly discriminate against women; (b) protecting rights by acting with due diligence to ensure that neither State or non-State actors violate women's rights and ensuring redress for violations; and (c) fulfilling rights by ensuring that laws and attendant policies contain comprehensive measures to guarantee their meaningful implementation and impact on women's empowerment. The scope of State obligation under the Convention requires active measures to combat patriarchal attitudes and stereotypes that shape an environment in which discrimination against women is tolerated and normalized, both in the law and in the application of the law. The Convention demands multi-pronged strategies to promote social change, not only isolated actions to improve women's access to existing systems. States are obliged to establish a strong legal infrastructure to support women's de jure and de facto equality as an important step in the cultivation of good practices.

## C. Selected case studies

28. The case studies offer both practical and conceptual insights into good practices and have the potential to serve as road maps. Some are promising practices that have not fully come into fruition or that have been derailed but are nevertheless illustrative and important for understanding what is required to develop and sustain good practices in the elimination of discrimination. Although contexts vary, core principles that create ameliorating environments for women's human rights are transferable, even when a practice is not directly replicable.

29. The cases are organized under the themes of the Working Group's reports to date, with a fifth section highlighting a salient theme that emerged from the research process: the role of autonomous women's organizing. Owing to space limitations, each case is offered in summary format; more detailed renderings are included in an appendix to the report available on the Group's website.

### 1. Political and public life

30. The right to participate in all areas of political and public life is an essential prerequisite for the fulfilment of many other rights. Despite progress in many States, women's representation in elected office — especially at the senior level, the judiciary, civil service or in entities such as unions, national human rights institutions or international agencies, including the United Nations — falls short of the good practice standard of equal representation.

31. Good practice requires: (a) the removal of barriers, whether cultural, economic, institutional or religious, preventing women from having an equal opportunity to gain access to positions of power at all levels; (b) the elimination of disempowering stereotypes, misogyny and violence against women in public and private spheres; (c) parity for women in decision-making forums; (d) and gender-sensitive mainstreaming of policymaking processes, including budgeting.

*Quotas and supportive measures*

32. The following case study was from the Asia region. Despite strong constitutional guarantees for "equal status of opportunity" and non-discrimination on multiple grounds, discrimination against women remained deeply entrenched. This resulted in women's exclusion from political and public life, particularly in rural areas and among ethnic minorities and marginalized groups of women. In 1993, in an effort to address structural barriers to women's participation in political and public life, the State had adopted a constitutional amendment mandating one-third reservations for women — including women from historically disenfranchised groups — in village and district councils throughout the country. Consequently, the 1994 elections had brought nearly 1 million elected women representatives into local governance bodies.

33. As the law had been enacted quickly and without supportive measures, many challenges arose. This included the placing of women as proxy candidates for male politicians; patriarchal and ethnic divisions that led to active exclusion of elected women representatives; a lack of appropriate support and skills development to address widespread illiteracy among rural women; a democratic deficit due to the history of exclusion from public life; women's lack of self-perception as leaders; and a backlash in the form of harassment, social exclusion and gender-based violence. It was also found that many elected women representatives were unlikely to contest elections more than once.

34. In response, civil society organizations, government and international agencies introduced initiatives to support women's participation. Pre-election voter awareness campaigns were undertaken to counteract the perception that the one-third reservation signified the maximum number of seats available for women. A range of programmes were also undertaken in ensuing years, including longer-term capacity-building efforts led by civil society organizations with elected women representatives, in which women representatives received both ongoing training to strengthen their leadership and advocacy skills and education on gender issues of concern in the community.

35. Women were also mobilized through the establishment of an ongoing meeting platform for elected female representatives at the village level designed to support them in preparation for making policy recommendations at the main village council meetings. Given their success, these meeting platforms have been legally mandated since 2012, requiring all local governments to hold such meetings in advance of general village meetings. Additionally, the legal framework was further fortified through State-level laws entrenching or boosting the quota from one-third to 50 per cent, including leadership positions. A draft constitutional amendment in 2009 sought to raise the requirement to parity within all elected positions nationwide, but the bill lapsed.

36. Research overwhelmingly indicated that the presence of women in rural governance has had positive impacts on key gendered concerns, including the improvement of health services, water and sanitation facilities, and microcredit schemes for women. Issues related to discrimination and violence against women were also being addressed by women representatives. Additional research showed significant impacts on attitudinal changes and in the elimination of gender stereotypes, demonstrated in shifts in the organization of labour in households, women's self-perception and increased societal support for girls' education and future aspirations. These correlations increased in villages where women chairs had been elected a second time.

37. The introduction of quotas provided a strong and unassailable legal prerogative for women's inclusion in local-level political bodies. However, the legal framework on its own was insufficient to ensure the meaningful political participation of women until the introduction of complementary measures, integrally involving civil society organizations,

that addressed the patriarchal context and women's historical disenfranchisement and ongoing discrimination.

38. While this good practice has enabled the participation of more than 10 million rural women in local politics, it has not led to greater political participation of women at higher levels of governance. Indeed, the Government has yet to be successful in adopting quotas or parity laws for women at higher levels of government, raising questions regarding the limits and sustainability of continued growth in women's political participation and access to power.

*Key lessons*

39. The adoption of parity laws or quotas for women is a good practice to combat the manifold barriers to women's political participation and to ensure immediate representation of women in political bodies.

40. Policies must be implemented in tandem with quotas to mitigate the effects of historical discrimination and to support women's success and impact in politics, including capacity-building performed in tandem with autonomous women's organizations as well as regional or international partners.

## 2. Economic and social life

41. Women's right to equality in economic and social life as enshrined in multiple human rights treaties is substantive, immediate and enforceable. States are obliged to act with due diligence to prevent discrimination of those rights by any actors and to ensure their fulfilment. Yet women continue to experience discrimination in all areas of economic and social life. The feminization of poverty, particularly in contexts of crisis and austerity, is a well-documented phenomenon. Gender stereotypes perpetuate women's economic and social marginalization, exclude them from the labour market and place a disproportionate burden on them for unpaid, low paid or informal work. Intersectional discrimination on the grounds of ethnicity, age, disability, sexual identity or orientation, among others, disproportionately marginalizes particular groups of women.

42. Good practice in promoting women's equality and empowerment in economic and social life requires measures that support equal opportunity, accommodation for gender-specific needs and equal enjoyment of benefits. In accordance with international standards, equal opportunities, equal pay for work of equal value, paid maternity leave in accordance with international standards and parental leave for both men and women must be legally mandated in both formal and informal employment sectors. Women must be fully integrated into economic policymaking both at the State level and in financial institutions that determine economic policy in practice.

*Women and economic crisis*

43. The following case study originated in a country in the Western region with a strong commitment to gender equality, owing in large part to a history of organization by women's that contributed to a wide acceptance of feminism in society and shaped progressive government policies. Nevertheless, inequality included a persistent gender wage gap; high gender segregation of the labour market, including women's low leadership levels in the private sector; and prevalent gender-based violence.

44. Nonetheless, social awareness of women's issues in the country was uniquely strong, creating an ameliorating environment for mobilization around feminist analyses of social, political and economic issues. This was evidenced in 2008 when the complete collapse of the country's banking system led to a major financial crisis. Widespread protests precipitated a change in Government and led to the election of a feminist Government headed by a woman, who appointed women to most cabinet roles, including the Ministries of the Economy and Finance. The new administration commissioned an analysis of the banking crisis to build upon existing feminist critiques of the masculinist financial culture of unfettered risk and neoliberal policies as major causative factors. The research confirmed those critiques and highlighted the effects of increasing privatization of

political power among predominantly male, private-sector elites, whose actions had precipitated the crisis.

45. A somewhat unconventional approach to the economic crisis was thus grounded in a gender analysis that focused on maintaining gains in equality as part of the economic recovery process. It combined temporary policy and executive decisions aimed at preventing disproportionate effects on women and vulnerable sectors of the population with mechanisms and measures for ongoing monitoring and data collection to ascertain impact. Simultaneously, the Government prioritized the implementation of long-term legal and policy measures to strengthen gender equality.

46. Between 2009 and 2013, the Government introduced temporary measures to counter the shifting effects of the crisis on women and men. As a result of pressure to cover the foreign debt that had been accumulated by national banks, the Government made cuts in infrastructure such as health care and primary education, as well as in family benefits such as parental leave. However, the resulting funds were strategically used to provide nominal increases in basic unemployment benefits, social protection allowances and disability pensions to shelter individuals most affected by the resource cuts. Elderly women and women with disabilities were the major beneficiaries, and women made up almost two-thirds of unemployment benefits claimants. In addition, measures to tackle household debt by sheltering low-income and single-parent households from losing their disposable earnings benefitted women, as they were likely to feature more prominently in both categories.

47. Concurrently, the Government maintained a focus on long-term measures to promote gender equality, including the introduction of gender-responsive budgeting, the appointment of gender equality experts within different ministries, the adoption of quotas on the boards of corporations and plans of action for gender equality and violence prevention. The Government also established monitoring mechanisms, such as a gender equality watch and a welfare watch. The welfare watch — which initially operated from 2009 to 2013 under the Ministry of Welfare and a steering committee of experts from Government, labour groups, academia, the financial sector, teachers' unions, civil society organizations and stakeholders — was in charge of assessing the most pressing welfare issues to be addressed and proposing gender-responsive measures. The model was recognized as innovative and effective.

48. While assessment of the impact of such measures was not uniform, and questions remained about whether the gendered analysis and approach to the crisis had deep impacts on the reconstruction of the economy, it can be said that the gender-sensitive response of the Government pre-empted a regression in welfare and women's rights that had usually accompanied austerity measures. In addition, knowledge of the gendered and intersectional dimensions of crises and the effectiveness of the responses was enhanced through monitoring and data collection. The policies undertaken in response to the crisis demonstrated not only an uncompromising commitment to gender equality but also an acknowledgment of its centrality to a healthy, robust and resilient society.

*Key lessons*

49. The integration of gender responsive measures and protection of social welfare systems during economic crises can protect women's human rights gains and, at the same time, support healthy recovery.

50. Efforts to sensitize society to women's human rights issues and feminist analysis, and their inclusion in Government research and policy, create an ameliorating environment for progressive legal and policy development and implementation, in contrast to a masculinist financial culture of unfettered risk and neoliberal policies.

### 3. Cultural and family life

51. Cultural rights are central to the realization of women's human rights. Culture is neither homogenous nor immutable but is often presented as being so, and hence as creating an irrevocable barrier to equality rights for women. States have obligations to recognize and actively combat the deep entrenchment of patriarchal culture based on gender stereotypes in

legal, political, religious, social and cultural institutions. While this obligation applies to all aspects of life, patriarchal gender stereotypes are often firmly entrenched in laws and social norms governing family, and often reinforced by religious authorities.

52. Good practices in cultural and family life require a guarantee of women's right to equality in autonomy and self-determination and the legal and social recognition of women as agents of cultural change. Legal and cultural norms that subjugate women to male control must be actively challenged and eradicated. States must endeavour to repeal all discriminatory provisions in the law, particularly those governing marriage and divorce, child-rearing, inheritance, freedom of movement, access to capital, credit and income-generating activities. In addition to the elimination of direct discrimination, good practices in this area require that States take active measures to support substantive equality through the law and long-term awareness-raising initiatives directed towards the eradication of patriarchal stereotypes and attitudes.

*Challenging discrimination: gender sensitive education for cultural change*

53. The following case study originated in Eastern Europe, in a State that had undertaken a lengthy legislative and institutional reform process since gaining independence in 1991. In a predominantly patriarchal context, attempts to introduce and support legal and policy frameworks for gender equality had faced significant opposition. Subsequent to a review in 2009 by the Committee on the Elimination of Discrimination against Women, the Government adopted a gender policy concept paper and strategic action plan for the period 2011-2015, including provisions for gender sensitization of teachers and educational curriculum.

54. In 2013, Parliament passed a law on the equal rights and equal opportunities of women and men. The law reiterated the constitutional guarantee of gender equality, defined gender discrimination and contained provisions against direct and indirect discrimination. However, the law generated a great deal of social controversy and backlash because of the perception that it represented an attack on "family values". Women's civil society organizations became targets of harassment and protests erupted, with demonstrators calling the law "national treason".

55. The Government had achieved little progress in implementing the gender policy strategic action plan, owing in part to the public backlash and lack of resource allocation. A civil society organization from the women's rights movement secured funds to launch a three-year project on gender sensitive education to address a social and cultural environment characterized by profound resistance to the concept of gender equality.

56. That civil society organization navigated the challenging context by building strategic partnerships with experts and Government. Together with educational experts, they developed a theoretical and practical educational guidebook entitled "Women and Men: Different but Equal", which was subsequently approved for use by the Ministry of Education and Science. It supported the incorporation of gender curricula into mandatory courses, such as social studies, and included discussion of gender, reproductive rights and violence prevention.

57. In order to institutionalize gender-sensitive teacher training, advocates from civil society organizations convened meetings with government ministries, other such organizations, educators and experts to develop a training module on gender equality and gender violence in partnership with the National Institute of Education, the authority in charge of teacher training. Despite some school directors' resistance, thousands of social science teachers were trained and the Institute is committed to institutionalizing the training.

58. According to evaluations, despite its short duration, the project's focus on education is a promising practice for a number of reasons. First, what started as a civil society organization initiative attracted the institutional support of the National Institute of Education and the Ministry of Education and Science in the dissemination of the educational guidebook in schools, the development of the teacher training module and the roll-out of training sessions. In addition, the undertaking created a political space for civil

society organizations and public authorities to take action in a challenging context, allowing meaningful steps towards fulfilling the objectives of the strategic action plan.

59. While these measures alone will not achieve substantive equality, intervention in the education system is projected to bear fruit in terms of creating a positive environment for social discussion of and support for gender equality issues. Preliminary outcome studies of training programmes in two regions of the country demonstrated shifts in attitudes towards gender equality and violence against women, but the curriculum and training policies have not yet been applied uniformly across the country, limiting systemic impact.

60. Project evaluation shows a need for further focus on planning, as well as measurable objectives and outcomes for the training. Resource allocation is also an issue. Currently, the teacher training has been institutionalized only as a one-hour module, despite calls for more comprehensive training. A greater investment of time is warranted to support attitudinal and behavioural changes.

61. The gender-sensitive education initiative is a promising practice in a fraught context, but is not a stand-alone measure. The case study demonstrates that gender equality cannot be fully achieved through sectorial approaches, but instead requires the creation of an enabling environment animated by comprehensive long-term measures emphasizing the interconnectedness of women's rights in order to yield both legal and social change.

*Key lessons*

62. The partnership of autonomous women's organizations and independent experts with expertise in women's rights with public authorities is a key element of progressive policy implementation.

63. Public education and teacher training are a crucial entry point for addressing systemic discrimination and promoting a culture of human rights, undertaken in tandem with complementary measures for systemic change.

### 4. Health and safety

64. Health is defined by the World Health Organization as "a state of complete physical, mental and social well-being". Women's rights to equality and to the highest attainable standards of health, including those related to reproductive and sexual health, and the interconnected right to a life free of violence are enshrined in international and regional human rights instruments and reaffirmed in international consensus agreements, yet remain among the most contested and violated women's human rights standards. Gender-based violence and the instrumentalization and politicization of women's bodies and women's health agenda continue to undermine the fulfilment of women's human rights throughout the world. These violations, fed by patriarchal ideologies and stereotypes that reduce women to means of reproduction or sexual objects, undermine women's autonomy and self-determination, affecting the fulfilment of their human rights.

65. Good practices in this area require a differentiated approach in order to meet women's particular needs, influenced by biological functions and social constructions of gender alike. The instrumentalization of women's bodies, particularly as regarding sexual and reproductive health, and the ongoing normalization of violence against women must be combatted through rights-based measures that put women's right to dignity, autonomy and self-determination at the core of legal and policy undertakings.

*Mobilizing the law for social change*

66. The following case study from the African region elucidates the myriad factors required to develop and maintain a good practice in addressing violence against girls, as well as the attendant impacts on the right to health, safety and access to justice, among others. The background to the case begins with a constitutional reform process undertaken with high levels of public engagement, resulting in 2010 in a robust new constitution that included strong equality provisions, the incorporation of international and regional human rights treaties and the creation of an ameliorating environment for public interest litigation.

67. In 2011, a social worker who founded a local shelter for girl survivors of sexual violence and an international human rights lawyer initiated a coalition with local, regional and international civil society organizations, feminist lawyers and the national human rights commission to file a case seeking to hold the police accountable for failure to address rampant sexual violence against girls. The *160 Girls* case was brought to the High Court in 2012. With the support of the shelter, 11 applicants were chosen from more than 160 victims of child rape who had been denied access to justice. The remaining victims were represented by the twelfth applicant, which was the rape shelter itself. It was the first case brought to the High Court under the equality provisions laid out in the 2010 Constitution. The decision was instrumental in establishing the failure of the police to meet national and international standards to conduct prompt, effective, proper and professional investigations into complaints, thereby preventing access to justice. With the use of relevant international human rights instruments and progressive interpretation of constitutional rights and State obligation, the jurisprudence was precedent-setting. The seminal contribution of the decision lay in establishing the rights of the child and the delineation of the scope of State obligation in protecting children from violence, and the duty to investigate and apply existing rape laws.

68. In its decision, the Court recognized that the girls' constitutional rights had been violated and that the police had failed to act with due diligence as agents of the State. The police force was ordered to implement article 244 of the Constitution, requiring them to train staff to the highest possible standards of competence and integrity and to respect human rights and fundamental freedoms and dignity. Police officers were ordered to investigate the perpetrators of the 11 applicants and to ensure effective investigations in all child rape claims. As at early 2016, 80 per cent of such cases had resulted in convictions, while others were pending before courts and additional investigations had been initiated. The judgment has been referenced in other cases, including an important class action suit by victims of post-election violence, and the high courts have issued further progressive decisions on related grounds.

69. What makes this case study a uniquely good practice is that, rather than ending with a court decision, the coalition of organizations involved continued to work together to expand that decision into a comprehensive movement for change. The *160 Girls Project* developed as a result of the case centres on training and education programmes involving police, shelters, social workers and community members to ensure a multi-level long-term impact. A rape investigation training programme for police was developed that included a peer-to-peer train-the-trainers element with international police officers and ongoing training from equality lawyers and the national human rights commission. Research has shown positive impacts, including documented attitudinal changes and increased professionalism in the handling of child rape cases. Furthermore, training programmes have been developed for shelter workers on documenting sexual violence cases and the rights of victims.

70. Community education programmes are a key component of the implementation strategy. In this case, a robust pilot project on public legal education included community training on the decision and the related girls' rights and police obligations; awareness-raising events including drama/theatre and panel discussions; rights-training for children; a smartphone application giving details on the steps to take in rape investigations; and public awareness materials, including billboards, radio and television programmes, social media outreach and short videos on the Internet. These measures have been replicated in other parts of the country.

71. While the ongoing efforts of project partners have ensured sustained impacts, the context of endemic sexualized violence against girls and women continues to be an issue. Those regions of the country that face heightened security issues present challenges, and it remains to be demonstrated whether there can be shifts in public sentiment regarding rape of women. A highly active civil society ensures that courts continue to be used to push for progress on the implementation of girls' rights and on State responsibility for protecting children against sexual violence. However, it is unclear whether civil society organizations bear a disproportionate burden vis-à-vis the State, and whether the enabling context for

such organizations will be maintained. Challenges include ensuring ongoing sources of funding for the project and decreasing reliance on overseas funding.

*Key lessons*

72. A strong human rights-based constitutional framework for equality, a progressive judiciary, an active autonomous civil society and an environment conducive to public interest litigation are important complementary factors in the development of good practices.

73. Impact is attained through follow-up measures and sustained action, by both State and non-State actors. Progressive court decisions must be widely disseminated and popularized among duty holders and rights holders alike to have broader structural impact.

### 5. Civil society and autonomous women's organizing

74. Women's participation and self-determination in the development and application of the laws that shape the parameters of their lives is a human right. Supporting the existence of and collaborative engagement with autonomous women's movements is a core component of State obligation to end discrimination against women. The case studies investigated for the present report demonstrate the centrality of an active citizenry, autonomous women's movements and civil society organizations with progressive frameworks that align with women's human rights standards as key factors in achieving positive changes in the development and application of the law.

75. The Working Group considers that the study of the ways and means by which those movements engage with processes of change involving the law merits in-depth consideration. Such investigation will reveal specific ways that States can create an ameliorating environment for and work collaboratively with autonomous women's movements towards eliminating discrimination against women in law and in practice.

76. The three case studies below exemplify the crucial role of women's autonomous organizing in the interrelated developmental processes of good practices as articulated in the living-law approach of the present report.

#### (a) Political and constitutional reform

*Women's participation in democratic movements and constitution-building*

77. The following case study, originating in a country of the Middle East and North Africa Region, highlights the central role of women's autonomous organizing in promoting political and legal changes to eradicate discrimination against women and to promote substantive equality. The country had a long history of Government-led reform promoting gender equality in the law. This included broad legal reforms granting women autonomy and self-determination in public and family life, with progressive provisions in terms of sexual and reproductive rights. Women's organizations had previously existed, but the political climate did not support autonomy. Growing authoritarianism in the regime and the prevalence of discriminatory attitudes had diminished the transformation of women's traditional roles and the attainment of substantive equality. In 2011, a political revolution led by social movements brought about the downfall of the Government and led to the democratization of the State.

78. Women's organizations played an important role in achieving the goals of the revolution and continued to play an active role in the emergence of a new vision for gender equality. The post-revolution period generated significant public debate during the drafting of a new constitution. Women's movements worked to keep women on the agenda, introducing a draft feminist constitution early in 2012 that they were invited to present to the National Constituent Assembly. They continued to advocate and mobilize society to oppose regressive elements, maintaining pressure for strong gender equality provisions. In 2012, women successfully organized against article 2.28 of the draft constitution, which had established the complementarity of men and women, rather than the right to equality. The women's movements, with the assistance of the Working Group through its communications and a country visit, brought about a revision of the draft constitution. That

victory was a key factor in the development of a rights-based constitutional framework for gender equality.

79. The new Constitution, adopted in 2014, enshrined the equality of the sexes before the law without discrimination and committed the State to protecting and strengthening gains in women's rights, guaranteeing the equality of opportunities in all domains and protecting against legal regression. Another progressive measure was the inclusion of the principle of parity in elected assemblies and a clear statement that men and women alike could run for president. The progressive framework of the constitution was protected in article 49, which affirmed that no amendment could undermine the human rights and freedoms guaranteed in the Constitution.

80. Women's rights advocates pointed to some areas of concern in the constitutional framework that were illustrative of the ongoing political and cultural struggle between the protection and conservation of conservative gender roles. While a single State religion was recognized and protected in the Constitution, it also includes provisions reiterating that the country was a civil State based on the primacy of law that promoted moderation and tolerance. How those potentially conflicting interests would work out in practice remained to be seen, particularly given that the constitutional courts were not yet in place.

81. While insufficient time has elapsed since adoption of the 2014 Constitution to fully assess its impacts, the crucial importance of this broad legal umbrella for women's equality cannot be overstated. Translating constitutional protections into reality will require the ongoing harmonized efforts of the Government and civil society. Some constitutional provisions have yet to be entrenched in the law, such as the stalled adoption of a law on violence against women, which was being discussed in Parliament at the time of writing. In the area of political participation, a 2016 amendment to the electoral law implanted the constitutional principle of political parity into law. Applying to municipal and regional elections, the law included "vertical and horizontal gender parity", guaranteeing a 50/50 split and alternation to ensure leadership positions for women. Elections scheduled to be held in 2017 thus open the way for a massive entry of women into local politics, creating huge potential for social transformation if well supported and sustained.

*Key lessons*

82. The active participation of citizens and women's organizations in the process of democratization and constitution-drafting are key to the adoption of a progressive, rights-based constitutional framework that creates an enabling legal environment for women's human rights implementation.

83. Robust and detailed constitutional gender equality protections based on international human rights standards are essential for a strong and enforceable domestic legal framework, and the active intervention of human rights organizations at the request of civil society can contribute to achieving the gender equality goal.

### (b) Progressive and participatory application of the law

*Conflict, displacement and women's human rights*

84. Longstanding internal armed conflict in one country in the Latin America Region has displaced more than 6 million people internally. Half of those are women, who have suffered a traumatic change in gender roles, family structure and socioeconomic and cultural standing, deepening gender and social inequalities and increasing risk of violence and gender-based discrimination. While many challenges persist, the situation faced by displaced women has improved over the past decade, largely owing to three ground-breaking decisions of the Constitutional Court, shaped by widespread citizen and civil society organization mobilization and implementation efforts.

85. For many years, internally displaced people and civil society organizations had demanded protection measures from the Government without receiving an appropriate response. This had prompted hundreds of displaced persons to invoke the protection of the judiciary through the judicial remedy known as a *tutela*: a constitutionally established judicial action that citizens can bring before any judge to ensure the effective exercise of

their human rights. By 2004, tribunals had received *tutelas* submitted by 1,150 displaced families, accumulated in a dossier by the Constitutional Court that led to a judgment declaring that the humanitarian emergency caused by forced displacement had created an unconstitutional state of affairs characterized by massive human rights violations associated with systemic failures in State assistance to displaced persons. Accordingly, the Court ordered the Government to adopt structural measures, a measure that has spawned a lengthy implementation process.

86. The Constitutional Court used its power to assess implementation of its own judgment, issuing two further orders on the rights of displaced women. In 2008, the Court handed down a decision that was considered a global pioneer in the treatment of sexual violence during internal armed conflict. It identified 10 risks that forcibly displaced women faced, including extreme risk of sexual violence, and 18 gender facets of displacement, including patterns of discrimination and violence. Accordingly, the Court ordered the Government to create and implement 13 programmes with a gender-sensitive approach, including violence prevention, the right to health and education and access to land, justice and reparations. The Court also took an intersectoral approach, highlighting heightened risks faced by girls, indigenous, black and community women leaders, and women with disabilities. The Court ordered the allocation of sufficient resources to guarantee implementation of the programmes, refusing to recognize lack of budget as valid justification for non-compliance.

87. In 2015, the Court issued an order declaring the persistence of failures in the assistance, protection and access to justice for women victims of sexual violence. That decision consolidated the constitutional framework to address the gendered impact of armed conflict on the forced displacement of women in the country. That protection framework — effectively transforming a government response to forced displacement using a gender perspective — is a pioneering example globally. That extraordinary achievement was partly due to the longstanding efforts by Latin American women's movements to strengthen the capacities of the constitutional courts in the field of women's rights.

88. The active involvement of internally displaced women and civil society organizations was essential throughout the process. Displaced women brought hundreds of *tutelas* before tribunals to demand their rights and participated in public hearings convened by the Constitutional Court or civil society organizations sharing their experiences and perspectives. The Court's decisions were informed by formal submissions by such organizations, presenting experiences of women and girls forcibly displaced around the country.

89. Women and civil society organizations responded to the Constitutional Court's request to participate in the design and implementation of the decisions. This resulted in the collective development of indicators to monitor the 2004 order and the establishment of a working group to monitor compliance with the orders, which was essential in assessing the implementation of the decisions and in providing technical assistance for the implementation of government programmes. Civil society organizations also operated numerous programmes that provided humanitarian, legal and psychosocial support to displaced women and their families. Those organizations also used international human rights mechanisms to keep a spotlight on displaced women, and carried the topic into recent peace negotiation processes. The 2016 peace agreement addressed many of the demands in the three decisions, contributing to their sustainability.

90. Despite this extraordinary protection framework, implementation has faced challenges. Women victims of sexual violence still faced barriers to filing reports and receiving adequate care and protection, particularly in remote areas. There was still heightened violence against displaced women linked to the illegal exploitation of mining resources or on the basis of their sexual orientation. Continued efforts were needed to ensure ongoing progress in a complex and dynamic context.

*Key lessons*

91. The presence of a solid constitutional court and an effective judicial remedy that enables citizens to demand their constitutional rights without undue cost or burden creates an enabling legal environment for addressing women's human rights violations.

92. Active participation of women rights holders and autonomous women's organizations in the development, monitoring, assessment and implementation of judicial decisions and public policies is essential to ensuring responsivity and impact.

**(c) Together for justice protocol**

93. In one State in the Western Europe and others group, indigenous women and girls continued to be the target of racially motivated sexual and gender-based violence that began with colonization, as affirmed in a 2015 inquiry report by the Committee on the Elimination of Discrimination against Women, in which the Committee noted grave and systemic violations of indigenous women's rights, exacerbated by entrenched discrimination that impeded access to justice. In a rural, predominantly indigenous region of the State, a series of high-profile cases, including the acquittal of federal police officers for sexual assault and the death of an indigenous man in police custody, had led to the mobilization of civil society organizations and public outcry, precipitating a government review of the police force in 2010. Local women's organizations lobbied for inclusion in order to push for an improved response by the justice system to violence against women.

94. In that context, an indigenous women's organization in a small community initiated a protocol with the local federal police force that mandated: ongoing engagement, including police training and capacity-building, to address the interrelated phenomena of violence directed towards indigenous women and lack of due diligence in investigating crimes; open dialogue sessions to promote cultural awareness; and community-police feedback and knowledge-sharing sessions, during which information on the justice system and community rights would be offered.

95. Project reviews and research have showed a profound impact on police-community relations, with open dialogue and collaboration promoting enhanced understanding and cooperation on issues of concern. The civil society organization has reported attitudinal and behavioural shifts that have exceeded their expectations. The police have developed a better understanding of the physical security issues that women in the community face, and have helped to increase access to relevant domestic violence and sexual assault resources, including shelters.

96. The protocol is reviewed and adjusted annually by both parties to take into account challenges and shifting needs, ensuring ongoing responsivity to community concerns. Successes of the project have been shared with other women's organizations, and a similar protocol has been subsequently adopted with the federal police force in the largest city in the region. Discussions are under way in other indigenous communities to press for similar protocols.

97. The bottom-up approach of the practice, which was developed at the impetus of women's organizations — while demonstrative of the innovative means used by the community to address the structural reality of the situation of violence and discrimination in which they live — has raised the question as to why grave and well-documented human rights violations have not been addressed on a systematic or institutional level within the federal police and Government. Political will to support, expand and institutionalize this good practice is required for its replication and sustainability. In all post- and ongoing colonial contexts, the disproportionate and intersectional discrimination faced by indigenous women, often aided and abetted by legal systems, must be systematically addressed by State duty holders.

*Key lessons*

98. Legal frameworks and partnership protocols that formalize the collaboration and participation of citizen or civil society organizations or autonomous women's rights organizations in developing, monitoring and implementing the law, can help to address

power imbalances on the basis of historical discrimination and can lead to meaningful change.

99. Measures involving groups of women who experience intersectional discrimination, such as indigenous women, must be developed in accordance with an intersectional, gender-sensitive human rights perspective and engage with women as stakeholders.

100. Financial and institutional support for promising and good practices must be maintained to ensure ongoing impact of results.

# III. Conclusions and recommendations

## A. Conclusions

**101. Good practices in the eradication of discrimination against women in law and practice comprise a complex, multifaceted endeavour involving a wide range of interconnected rights. A good practice cannot be understood in isolation from its context and other complementary measures undertaken to promote substantive equality. The living-law approach renders visible the wide range of factors and actors involved in the process of good practice development. Each good practice case study explored in the present report has contributed to key lessons learned that are both specific to the case and that contain transferable principles that inform the present conclusions. These lessons learned also reinforce the conclusions reached by the Working Group on the basis of regional and global research in its thematic reports and various country visits.**

**102. The Working Group's assessment of good practices in eliminating discrimination against women reaffirms the imperative that international human rights standards must be incorporated into national law and laws that contradict those principles must be repealed or modified, without exceptions based on cultural grounds, including cultural and customary grounds. Constitutional provisions that support gender equality create the foundation from which women's rights can most comprehensively be supported throughout the legal system. States must also take measures to ensure that international and constitutional standards for women's equality are infused at all levels of the legal framework, especially in federated and pluralistic legal systems.**

**103. To ensure that laws facilitate good practices in the elimination of discrimination and women's empowerment, a systematic gender analysis of the law and its potential impacts, as well as outcomes, is imperative. Gender analysis of existing and draft laws through the input of diverse stakeholders and the sharing of good practices must be undertaken comprehensively and regularly. This requires capacity-building on a rights-based gender analysis for duty holders in all spheres and meaningful collaboration with an autonomous civil society that includes women's organizations and legal experts on women's rights. In addition, it requires ongoing independent monitoring and research by national human rights institutions, treaty bodies, special procedure mandate holders, scholars and other experts.**

**104. Changing the law to meet the State obligation to respect and protect women's human rights are key steps, but investigations show that fulfilling rights remains the most challenging facet of this triad. The fulfilment of women's human rights requires substantive shifts in deeply entrenched social and cultural norms that reinforce gender stereotypes and perpetuate women's subordination. As the Working Group has emphasized, the State must act as an agent of change as regards to women's place in cultural and family life. The fulfilment of progressive legal frameworks requires strong political will, supported by appropriate resources, and attendant measures focused on attitudinal and behavioural change that cultivate an environment in which good practices can thrive. Change must be transferred from the normative level into all sectors of society so that duty and rights holders alike are able to internalize the shifts required to support human rights implementation.**

105. **Among the key challenges in eliminating discrimination against women in law and practice is the question of sustainability in the efforts and impacts of changing laws. Local and global political and ideological landscapes are ever-shifting and resources are limited and insecure.**

106. **The developmental process of a good practice over longer periods of time means that political shifts in national or international governance can adversely affect sustainability.**

107. **A key area of concern to the Working Group is the profound level of backlash against women's human rights gains, which is on the rise both within States and in international spheres. In a climate of rising populism, xenophobia and fundamentalisms, long-established women's human rights norms are being undermined, heightening the fragility of good practices in this context. In addition, a concurrent attack on women's organizations, women's human rights defenders and civil society movements — including feminist, environmental and human rights movements — creates an atmosphere in which these key actors are criminalized, de-funded and even killed, making the question of good practices moot. The Working Group emphasizes the importance of maintaining the autonomy of local and national movements and other civil society actors — including national human rights institutions, public interest lawyers and scholars — as an essential means of protecting and sustaining good practices. Backlashes within intergovernmental forums, as well as at the national level, must be challenged head-on by the international community.**

108. **Resource allocation to support the progressive implementation of women's human rights is part of State obligation. States must undertake a process of gender budgeting to ensure that their legal and policy commitments bear results. Key limiting factors of the good practices identified were insufficient funds, disproportionate burden of implementation on non-government actors and dependence on large-scale or single donor international funding resources. While involvement of autonomous women's organizations has been seen as essential in the implementation of rights, the relationship between State and non-State actors should involve complementary efforts. Even States with limited resources make key decisions that support the implementation of rights when political will is present to do so. Budget allocation, whether originating from the State or a donor, must take into account the longitudinal nature of change to ensure that promising practices are not arrested before they can fully come into fruition.**

## B. Recommendations

### 1. General recommendations

109. **There are multiple entry points to change the law and ensure effective implementation of laws guaranteeing women's right to equality, including through the initiative of women rights holders and autonomous women's organizations in civil society. The Working Group recommends that States:**

(a) **Take every measure to ratify the Convention on the Elimination of All Forms of Discrimination Against Women and its Optional Protocol, withdraw reservations thereto, incorporate its provisions into national constitutions and all hierarchies of domestic law, and actively seek to implement recommendations made by the Committee on the Elimination of Discrimination against Women, the Working Group and other relevant human rights mechanisms in view of improving the realization of women's human rights;**

(b) **Repeal all laws that directly discriminate against women, and review all new and existing legislation through a rights-based, gender-sensitive lens, involving independent experts, including autonomous women's organizations;**

(c) **Improve the knowledge-base on good practices by providing the ways and means to support initiatives that apply a living-law approach to evaluating**

**outcomes and impact of laws, and record detailed results for the sharing of promising and good practices.**

### 2. Specific recommendations

*Social change*

110. **The cultivation of a culture of human rights is needed for social change and requires specific measures that draw from the richness and complexity of particular contexts and histories, and that involve all sectors of society, including autonomous women's movements. As exemplified by the cases in the present report, good practices result from sustained processes that benefit from the dynamic interaction brought by a diverse range of actors and involve responsivity to changing situations in order to ensure ongoing fulfilment of equal rights.**

111. **The Working Group recommends that States:**

(a) **Invest in long-term and multi-dimensional strategies to promote social change, including extensive training, educational and awareness-raising measures to promote a culture of human rights among right and duty holders alike;**

(b) **Ensure the active participation of women of all sectors of society in monitoring and implementing human rights.**

*Sustainability*

112. **It is essential to ensure that a robust constitutional and legal framework is in place to support long-term rights implementation and to weather challenges that may come from regressive political or ideological forces that threaten to undermine progress. The Working Group recommends that States:**

(a) **Recognize the crucial role of autonomous women's organizing in the development of good practices, and endeavour to create a legal, policy and budgetary framework to support autonomous civil society organizations, women's movements, and citizen participation in legal development, reform and implementation;**

(b) **Apply the good practices framework for the creation and maintenance of a safe and enabling environment for civil society developed in the report of the High Commissioner (A/HRC/32/20), with a gender-sensitive lens that takes into account the unique position and challenges faced by women's human rights defenders;**

(c) **Prioritize the allocation of funds, both internationally and domestically, to support active and sustained measures to promote good practices in the eradication of discrimination and the promotion of women's empowerment.**